3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10
Modoc NS17

[Klamath Reservation]

1850. Aggressions by Northern Paiute bands led to similar large-scale forays into the country east of Silver and Summer lakes. The almost endemic condition of warfare and the enlarging scale of operations, together with the lucrative trade in booty, brought about the emergence of a chiefly class, the members of which based their power upon eminence in war and possession of wealth, including slaves.[10] Their successes attracted followers, and common interest as well as kinship prompted them at times to cement alliances with shamans.

Thus they drew into their hands coercive powers of no mean weight, for, as Henry Blow observed, "this [shamanistic] power was used by the chiefs to get rid of rivals and there are some of us old enough to remember of doctors being paid to kill certain persons and of their foretellings of the exact day they would die."[11]

The rise of the chiefs helped to knit together tribal loyalties. A war party formerly consisted of only those among the able-bodied men who were inclined to fighting, but a successful leader increasingly transcended tribelet parochialism, drawing followers from diverse hamlets and villages across the Klamath country. As warfare became a way of life, the occasional allegiance rendered while in the field became an enduring acknowledgment of worth.

In the growing eminence of the new leadership, hereditary principles may have been operative. Chiloquin mentions his father as having been a chief on Klamath Marsh, his own brother as a subchief, and a sister as a chief. The father of Dave Hill, a rising young war leader, was a village chief; while Allen David, later head chief in reservation days, was the brother of Captain George, a Klamath Lake chief. That family eminence was not essential, however, is shown by the personal history of Lileks, of good—but not chiefly—background. Lileks was a transvestite in his youth until a supernatural experience vested him with the power that was to lead him to be head chief of the Klamath.[12]

A minor factor in these developments may have been the interest of the whites in the centralization of tribal power, in order that they might deal more effectively with responsible leaders. In 1844, Elijah White, then Sub-agent for Indian affairs met with some Klamath and Molala who had ridden into the

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10

Kalapuya settlements in the vicinity of Oregon City, and induced them to be regulated by the same rules as were the Nez Percés and to appoint a single paramount chief. A disaffected Indian from The Dalles, however, subsequently joined the party as it was making its way homeward and provoked a quarrel in which those favoring the Agent's proposal were slain.[13]

While these events were taking place, the Klamath country was again being visited, at first by occasional parties whom the Indians watched unseen. In the years 1844-45 a mixed party of Walla Walla, Spokane, and Cayuse, under the Walla Walla chief, Piupiumaksmaks, passed through the Klamath region en route to California to buy cattle. In 1843 and again in 1846 the Klamath were visited by the explorer, John C. Frémont. In his earlier visit, the martial captain, in order to quell "the treacherous disposition, which is a remarkable characteristic of the Indians south of the Columbia," fired a round from his howitzer over Klamath Marsh. Although his action was scarcely calculated to allay the suspicions of the Indians, he was shown the same courtesy as had been extended Peter Skene Ogden years before. A village chief—the father of David Hill—and his wife came out to meet the party and guided them east toward Summer Lake.

Frémont's second entrance, in 1846, was less fortunate. In that year, moving up from California, he passed through Modoc country and thereafter up the west shore of Upper Klamath Lake, where he was attacked by a party that had followed him from the southern end of the lake. Three of his Delaware Indians were slain. Although his attackers probably were from the Klamath Falls tribelet, Frémont's reprisal was directed instead at a village of the Lower Williamson group. Neither women nor children were spared in the attack. The slaughter left a legacy of hatred that did much to draw some of the Klamath into the Molala war.[14]

By the time of Frémont's second visit to the Kamath country, the Indians of Oregon had been sorely stricken. Diseases brought by the whites had ravaged the tribes of the Columbia and Willamette valleys. The Hudson's Bay Company had sought to assure a firm supply of furs in the country it controlled and thus to maintain just and amicable relations with the Indians; and many of its employees had taken Indian wives. It was now being

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10

[Klamath Reservation]

*657 *648 622

top rail of a fence, facing the redskins assembled in the meadow before him, flanked by a group of young and energetic Indians who were his sworn friends and allies, he dispensed summary justice to the most notorious recent offender. . . . He then proceded [sic] to explain, through a Klamath interpreter, that the old chief, though entitled to all honor and respect for his years of valuable service, had ceased to be an effective officer and should be replaced by a younger and more active man. The new day had arrived, he said, when the Indians were adopting the white man's ways of life, and chief among these was the white man's law, which demanded that justice should be done and order maintained without fear or favor, and which provided for such justice and order by the election of officers who were chosen for their capabilities in performing these duties. He suggested that another meeting be held a week later for the nomination of candidates for head chief of the whole reservation—not only of the Klamaths who owed allegiance to La-Lakes, but also of the Modocs, Paiutes, and Pit Rivers who made their homes on the reservation. The old chief was naturally crestfallen at this procedure, and his relatives and friends grieved, but there seems to have been no attempt at open rebellion against the dicta of the young white leader. . . . Throughout the whole campaign, however, the feeling of personal loyalty to the old sachem was the greatest obstacle to be overcome."

*657 *648 622 • 643 666

The election that followed pitted Henry Blow, "a prominent sub-chief under La-Lakes, a man of the finest personal and executive qualities," with support from both Lower End Klamath and the Modoc,[14] against Allen David, "a tall handsome, and popular young brave from the upper country,[15] progressive, well versed in the ways of the white man, from travel among the Willamette settlements," backed not only by Lower End Klamath but by the Upland band and the Paiute as well. Charley Preston was a third nominee, "a man popular on account of his personal qualities and admired for his ability in various industries acquired by residence among the whites, but not possessing the prestige of a sub-chief." Young Applegate seems also to have been proposed, but declined. "There were many at this meeting who deplored the whole procedure in view of their allegiance to the old chief. . . ." At the election which followed, Allen David was elected by a plurality of five.[16] Thus a panreservation polity was established, to which tribal distinctions thereafter were subordinated.

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10

[Klamath Reservation]

As for the deposed Monchnkasgitk, his place was promptly filled by the election of one "Barcley." Despite the rebuff, Monchnkasgitk rose again in time to the position of subchief at Yainax, where he came to be known as Moses Brown.[17]

The major election had removed from immediate power one who had obstructed Agency-sponsored reforms, but had left the membership of the lesser chieftaincies intact. It is clear that administration policy held that representation by a chief was adequate to secure the interests of a band. Thus, in 1871, when John Meacham found the lot of the slaves little improved his remedy was to authorize them to elect a chief "to represent them in the councils and courts of the tribes."[18] In the political order thus established, the chiefs had been displaced from an executive role to constitute a court, while a sheriff, chosen from among the Indians, together with constables, one per chief, were to maintain order. Chiefs, somewhat extralegally, soon began to assume magisterial functions.

It took some time to make the court aware of the bounds within which it ought to operate. John Meacham noted in his charges "an excessive disposition to go to law," and remarked, "I have counciled [sic] the board of chiefs against this, especially against making arrests for trifling offenses or for *no* offence at all, advising them that the object of the law is to *protect* the people and not to *oppress* them."[19] Soon thereafter, he reduced the court to a membership of only seven chiefs and set its sessions at monthly intervals.[20]

As outlined by Dave Hill, one of the members of the court, the list of offenses combined crimes against the person (murder, adultery, stealing, fornication, witchcraft, and fighting), those against property (arson), together with what can only be considered redefinitions of customary procedure. Thus, cremation of the dead was enjoined and the license permitted a chief in dealing with his followers was severely circumscribed. Marriages were to be confirmed before the principal chief, who was to receive a fee; the bride price was not to be returned on the desertion of the husband; while the court might order the separation of an irreconcilable couple. Monogamy alone was permissible.[21]

Thus, not only were the chiefs given new and different powers,

3:Stern E-4,5 (1949-1957) 1965 NR10 Klamath NR10

[Klamath Reservation]

far distant when good judgment will direct the deposing of all hereditary sovereigns and the election of proper officers by the people at large. Thier present mode of constituting courts of justice and of conducting trials is probably far in advance of thier primitive style—but is anything but Republican. . . ."[27]

The contrast between the old and new leaders is shown by one of two liquor cases that vexed Dyar. A saloonkeeper, guided by a "squaw man" to an Indian village a few miles above Linkville "for vile purposes," gave a bottle of whiskey to the Indian who transported them. After the Indian had drunk part, he gave the remainder to Lileks, who shared it with another man. Of this instance and another, Dyar observed, "Allan David, Head Chief of the Klamaths, first brought these cases to my knowledge and is anxious that the parties shall be punished."[28]

Allen David, indeed, impressed Meacham strongly, for he characterized him among the Indians as "unquestionably the clearest and most logical talker I have ever listened to. . . . He is fully imbued with the ideas of civilization and never misses an opportunity to give his people good advice."[29] Dyar, echoing these sentiments, added, "his time is so much taken up in settling the little disputes of his people, and he is naturally compelled to give away so much food in thier [sic] frequent visits, that he is kept continually poor." As head chief for the entire reservation, David was expected by the Indians to feed them during the frequent assemblies at his house. From visits to other reservations and to the American settlements, he was aware that white officials received pay for performing their duties and that even Mark, the head chief at Warm Springs, drew a salary. Before David would undertake the head chieftaincy, O. C. Applegate had had to promise to try to secure a salary for him. Subsequently, Dyar himself recommended that Allen David be paid an annual salary of $300.00.[30] It was not forthcoming.

The concept of an all-reservation hierarchy of chiefs was rudely challenged by the Modoc War. For a brief time, upon the urging of A. B. Meacham, Superintendent of Indian Affairs for Oregon, Captain Jack and his adherents had joined Schonchin at Modoc Point in 1869. They were soon disillusioned. The Klamath acted like lords of the land and treated the Modoc as if they were there only on sufferance. When the Modoc split fence rails, Klamath

3:Stern E-4,5 (1949-1957) 1965 NR10 Klamath NR10
Modoc NS17

[Klamath Reservation]

under Blow and Link River Jack appropriated them as their own property.[31] Appeal to the Agent, Captain O. C. Knapp, proved fruitless; he only advised the Modoc to move further away from the Klamath. Captain Jack is reported to have told his followers, "I do not want my men to be slaves for these Indians, and they shall not be. My people are just as good as these Indians."[32]

While Schonchin was away fishing, Captain Jack overwhelmed the "friendly" subchiefs, Chief George and Charlie Riddle, and the Modoc left the reservation in a body. After reporting their departure, Schonchin joined them. There remained only a small party of twenty, who had been settled at Yainax earlier that year. Through them, Ivan Applegate contacted the absentee Modoc and persuaded Schonchin to return. When he did so, in the spring of the year (1870), he refused to rejoin the Lower End Klamath and was established instead at Yainax, home of his Upland Klamath mother, where Monchnkasgitk and the Paiute were already in residence. Evidently, the latter held the main voice there, for the following year—though only temporarily as it turned out—Yainax was made independent of Klamath Agency, "owing to the fact that these Indians had long been at war with those at Klamath. . . ." The change, "demanded by the chief headmen of the Snakes and Wall-pah-pe tribes, [was] approved by the chiefs and headmen of the Klamaths."[33]

With Captain Jack's refusal to return to the reservation, the veto of A. B. Meacham's proposal that he be granted a tract in the Tule Basin (as originally envisaged in the Steele treaty), and the decision of Meacham's successor, T. B. Odeneal, that the Modoc be brought forcibly upon the Klamath reservation, the lines were laid for the fatal flare-up of the Modoc War. The outbreak of hostilities found Allen David "very faithful and active in his efforts to preserve a good feeling among all the Indians on the Reservation, repeatedly visiting the Snakes and Scontian's band of Madocs [sic], advising them to keep quiet on the Reservation and have nothing to do with Capt. Jack's people."[34]

Fearful that the hostile Modoc would induce the Yainax Paiute and Modoc to join them, Dyar organized a home guard. At the Lower End, Dave Hill and Henry Blow swiftly recruited 32 men, primarily from the Link River band, while Oliver Apple-

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10
Modoc NS17

[Klamath Reservation]

were mustered out of service. Subsequently, when Jack and his followers slew the Peace Commissioners, Oliver Applegate reported that the reservation Indians were ready to take the warpath against them in revenge, but they were not called upon.[40]

In the end, the Modoc were defeated and the leaders tried at Fort Klamath. During the hearing, they attempted to implicate the Klamath, with claims that Link River Jack had cached ammunition for them and that Schonchin—"the noblest Roman of them all!" exploded Oliver Applegate indignantly—had brought them a message from Allen David promising aid if they would hold out a little longer. The countercharges proved misdirected as defense; and in the presence of the reservation Indians and other spectators the leaders of the hostiles were hanged or committed to Alcatraz; and the remainder, 153 in number, were shipped off to Fort Quapaw, Indian Territory.[41]

With the end of the war, the reservation became in effect a closed political system. The only exception was Ocheho's band of Paiute, which alternated between the reservation and their Warner Valley homeland until 1876, when the major part of them remained off the reservation for good. Meanwhile, with no salary forthcoming to offset the heavy financial burdens of his office, Allen David resigned, and Henry Blow was elected in his stead.[42]

The statement made in 1877 by Dave Hill gives a fair idea of the chiefs of the time and contrasts the hierarchy at the Agency with the comparatively open order at Yainax.

> We Lake People live here thus: Blow is chief of all, and I, Dave Hill, am chief second to Blow, Long John after Dave, then too Link River Jack after Long John, and Lilu. Pit River Charley is chief of the Pit River people at the Lake. Ben and Littlejohn are the chiefs, and Schonchin is chief of the Yainax people. Johnson is chief of the Modoc at Yainax. George Kuatilak also is Modoc chief after Johnson. Chocktoot is chief of the Paiute."

Gatschet's list for the same year, which includes the adherents for each leader, differs somewhat from that of Hill. At the Lower End, the chiefs, all Klamath, and the number of their followers were: Blow, head chief (122), Hill (225), Long John (103), Link River Jack (92), and Lilu (23). At Yainax, the Modoc bands

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10
Modoc NS17

[Klamath Reservation]

comprised those of Modoc Johnson, head chief (71), and Schonchin (18). The Upland Klamath leaders were Brown [i.e. Monchnkasgitk] (30), Ben (61), and Littlejohn (14).

Gatschet thus omits Pit River Charley at the Lower End and the adherents of George Kuatilak and Chocktoot at Yainax, but includes that of Monschnkasgitk. If the Klamath and Modoc followings are separately totaled, the figures agree closely with those of the statistical summary for that year,[44] suggesting that the Pit River chief was subsumed under one of the Klamath leaders and George Kuatilak under Modoc Johnson. Note that the Paiute, who seem to be predominantly Walpapi, account for 137, almost half the Yainax total of 331, while the Lower End, with 565, then contained almost twice as many people.

The replacement of leaders had already gone far: Of the chiefs listed above, only five, Blow, Jack, Lilu, Schonchin, and Monchnkasgitk, had been prominent enough in 1864 to sign the treaty; and only Lilu, Monchnkasgitk, and Schonchin were then noted chiefs.[45] By 1877, their followings had dwindled, amounting to only a fraction of their previous numbers. Most of the losses had been to Agency men advancing in favor. Among them Dave Hill far outstripped even Henry Blow, the head chief, in adherents.

Beneath this system, we know from the accounts of elderly Indians, a system of informal local headmen continued. Some of these individuals were, indeed, also favored with a measure of government support. Among them were some of the older chiefs, now out of official power. Lileks was put in charge of a ferry across the river—probably the Williamson—where he kept track of passengers by drawing pictures of a man, mules, and so on.[46] Allen David, still a chief, figured among the progressive Indians for some years. In 1883, however, his quiet opposition to Agency inroads upon the remaining chiefly authority drew remarks from Nickerson:

> There is but one man, Allen David, 3rd chief, who in any way proves a hinderance [sic] to the discharge of duties of the police. He does not do this openly, but covertly and slily, and is ready with a denial when charged with it. I have been seriously thinking of depriving him of his position and power as one of the cheifs [sic]. Indeed, I think the time is not far distant when this tribe will be better off without any chiefs whatever."

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10

[Klamath Reservation]

*657 *648 622 services in the court. In 1878, support took the form of a suit of clothes for Henry Blow and three years later of a request to provide him with a weekly ration of flour and beef. However, as Agent Roork then found, the issue could not be authorized even for one who "spends a good deal of time looking after the interests of his people, when he can ill afford it."[58]

*657 *648 625 At this juncture a temporary solution was found. In 1878, drawing upon successful experience on other reservations, the Bureau authorized the employment of a small force of Indian police. In the first days of the reservation, Lindsay Applegate claimed to have organized such a force, one that served without pay, with power to perform military duties as well to arrest malefactors; and though it was later discontinued, Dyar had subsequently proposed a similar body.[59]

The number now settled upon was six, at Roork's request, "in order to have one for every tribe."[60] O. C. Applegate, then clerk at the Agency, was appointed chief of police. The first men in the service, with one or two exceptions, were not particularly distinguished; and neither of the officers of the force is now recalled as having been a leader. Within a year or two, however after many fluctuations in numbers, both Henry Blow and Dave Hill had been appointed as officers. The subsequent reduction of the force from fifteen to three for budgetary reasons dictated from Washington was distressing.

> As the Police Force was too small to be of much account [wrote Nickerson], the Indians felt under less restraint & were now dificult [sic] to manage. The chiefs considered that the Government had taken their authority to rule and administer punishment out of their hands, and did not consider themselves responsible for good order. They are now anxious to be allowed to administer law as before the Police force was organized. Unless this force can be put upon a permanent basis, and consist of from 8 to 10 members with a yearly allowance of rations I am of the opinion that it would be best to grant them their request. In that case it would be desirable to keep 2 or 3 men in the service to aid in arresting offenders & to take charge of all prisoners. . . . The Agent would of course be the judge in all trials.

• [643] [622] He suggested that, following the plan he had put into operation before the force was reduced, the head chief be named captain and the second chief, lieutenant, while two other chiefs be appointed sergeants of the force.

[Klamath Reservation]

Of all the societal relationships, the government sought directly to change only those within the family. It was clear that a nation that was soon to impose upon the Mormons the American, and not the Biblical family, would permit no special marital practices among the Indians. Polygamy was banned, although not retroactively for unions such as those of Allen David and Monchnkasgitk, which had been contracted prior to January 1, 1870. Some leaders themselves appear to have advocated the change in a desire to emulate whites. In 1877, Gatschet noted that there were still two or three polygamous men.[26] Since polygamy had been a mark of the affluent, the ban, like the emancipation of the slaves that preceded it, served to erode the status of the traditional chiefs.

An effort was also made to place under the authority of the court of chiefs certain relationships which had formerly been regulated privately between the families or individuals concerned. In the legal code instituted when the court was established, the consecration of marriage was made the function of the head chief, to whom the groom was to pay a fee of five, three, or two dollars or the same amount in horses, graduated according to his means. It was again the chiefs who punished fornication and polygamy and performed divorce.[27] The traditional ritual of marriage still was being practiced by some families in the 1890's[28] but the gift exchanges between the families concerned which set a public seal on the union were superseded, and the controls exerted by the family over the couple were thereby diminished. The effects of these and other changes were recognized by Gatschet. "Matrimonial reverses . . . among the Klamath [he declared] . . are one of the unavoidable consequences of the gradual emancipation of the females from the former rule of their brutal husbands through the advent of the whites, and also of the obnoxious and corrupting neighborhood of the soldiers at Fort Klamath."[29]

With time, the seal upon marriage came to be set by the Methodist church and its ethics in turn permitted the independent of spirit to flout tradition. One woman recalled that upon the death of her husband his family proposed that she wed his brother in customary manner, but she refused out of regard for the memory of her husband and the sanctity of the bond of their marriage in the church.

3:Stern E-4,5 (1949-1957) 1965 NR 10 Klamath NR 10

[Klamath Reservation]

EIGHT

[P. 105]

School

WHILE THE RE-EDUCATION OF THEIR ELDERS WAS BEING CARRIED OUT, it was the youth of the reservation on whom the Agents placed their ultimate hopes. The American faith in the transforming powers of education is nowhere clearer than in the words of Dyar:

> Being fully convinced that a radical change in the Indian character can only be wrought in childhood and early youth, I would most respectfully urge the co-operation of the Government in the prosecution of this work of taking the children from their native haunts of degradation, and clothing, feeding, and teaching them the habits and arts of civilization.[1]

It had been a slow start. Lindsay Applegate had employed a teacher, but as that functionary observed, he had been "instructed to labor on the farms and to give instructions to certain Indians in manual labor"—evidently not his metier.[2] The "sickly effort" as A. B. Meacham termed it, was abandoned,[3] and not until 1873 did Dyar's plan for a manual training boarding school bear fruit.[4] It met initial opposition. John Meacham had advocated the hiring of a "good reliable educated Indian" as teacher who "would himself be a living example of the result to be achieved by study. . . ."[5] Such a person might also have been able to reduce the initial aversion of parents to sending their children to school. Dyar noted, "I shall be obliged to commence with a very few—perhaps with orphans who have no friends to oppose." However, he wisely declined to use force.[6] In his efforts he was to have the steadfast support of Henry Blow, who became head chief in 1874. "Mr. Dyar . . . says," wrote Nickerson, "that he never could have established the school on this reservation, had it not been for him. He was its friend when all others were against it."[7]

Soon Dyar had over twenty scholars,[8] only to have to close